

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC L. MIDDLETON,

Defendant,

and,

Kristi Strong,

Third-Party Petitioner.

NO. CR12-5129 RJB

STIPULATED SETTLEMENT
AGREEMENT

IT IS HEREBY STIPULATED between the United States of America, by and through Jenny A. Durkan, United States Attorney for the Western District of Washington, and Brian D. Werner and Matthew H. Thomas, Assistant United States Attorneys for said District, and Petitioner Kristi Strong, *Pro Se*, to a settlement of all claims to the following property:

- a. \$2200 in United States currency, seized from Defendant's residence on March 20, 2012, and currently in the custody of the United States Secret Service.

On May 31, 2013, the Court entered a Preliminary Order of Forfeiture in the above-captioned case forfeiting defendant ERIC MIDDLETON's interest in the above-described

1 property pursuant to Title 18, United States Code, Section 982(a)(2)(B), Title 18, United States
2 Code, Section 1028(b), and Title 18, United States Code, Section 1029(c)(1)(C), for violations of
3 Title 18, United States Code, Sections 1344 and 2 (Bank Fraud) and Title 18, United States
4 Code, Sections 1028A and 2 (Aggravated Identity Theft). *See* Docket No. 106.
5

6 Pursuant to Title 21, United States Code, Section 853(n), the United States published
7 notice on an official internet government forfeiture website, www.forfeiture.gov, starting on June
8 8, 2013 and running consecutively for thirty days until its conclusion on July 7, 2013. In the
9 publication, the United States published notice of the Preliminary Order of Forfeiture and the
10 intent of the United States to dispose of the property in accordance with law. This notice further
11 stated that any person other than the defendant having or claiming an interest in the property was
12 required to file a petition with the Court within sixty (60) days of the first date of publication of
13 the notice, setting forth the nature of the petitioner's right, title, and interest in the property. *See*
14 Docket No. 122.
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16 On June 24, 2013, Kristi Strong ("Petitioner") submitted a verified petition as to the
17 above-listed property. *See* Docket No. 121.
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19 All persons and entities believed to have an interest in the above-referenced real property
20 and to forfeiture were given proper notice of the intended forfeiture.
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1 This stipulated settlement is entered into between the parties pursuant to the following
2 terms:
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4 1. Plaintiff United States stipulates and agrees to the return of the above-listed
5 \$2,000 in United States currency to Petitioner, and acknowledges her superior ownership interest
6 in said currency over that of defendant ERIC MIDDLETON.
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8 2. Petitioner Kristi Strong, *Pro Se*, agrees that the return of the currency shall be in
9 full settlement and satisfaction of any and all claims by Petitioner to the above-described \$2,200
10 in United States currency seized on March 20, 2012.
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12 3. Petitioner Kristi Strong, *Pro Se*, agrees to release and hold harmless the United
13 States, the United States Department of Justice, The United States Department of Homeland
14 Security, The United States Secret Service, and any and all agents, servants, and employees of
15 the United States and its agencies, acting in their individual or official capacities, from any and
16 all claims by Kristi Strong, and/or her representatives, agents, heirs, successors, and assigns,
17 which currently exist or which may arise as a result of the forfeiture action against the above-
18 described currency.
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22 4. Petitioner understands and agrees that by entering into this stipulated agreement
23 of her interest in the above-described currency, she waives any rights to further litigate her
24 interest in the property and to petition for remission or mitigation of the forfeiture. Thereafter,
25 unless specifically directed by an order of the Court, Petitioner shall be excused and relieved
26 from further participation in this action.
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Respectfully Submitted:

DATED: 7/15/2013

s/ Matthew H. Thomas

MATTHEW H. THOMAS
 Assistant United States Attorney
 United States Attorney's Office
 1201 Pacific Avenue, Suite 700
 Tacoma, Washington 98402
 (253) 428-3809

DATED: 7/15/2013

s/ Kristi Strong
KRISTI STRONG, *Pro Se*
Petitioner

ORDER

Based upon the foregoing stipulation of the parties, this Stipulated Settlement Agreement is hereby APPROVED.

DATED this 18th day of July, 2013.

A handwritten signature in black ink, reading "Robert J. Bryan", written over a horizontal line.

ROBERT J. BRYAN
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendants and claimant(s). I further certify that I have served, via electronic mail, the following claimant:

Kristi Strong

s/ Michael McLaren
MICHAEL MCLAREN
FSA Paralegal IV
United States Attorney's Office
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